

# **Claimant Guide: Your Rights & Responsibilities When Claiming Unemployment Insurance Benefits**



**KENTUCKY LABOR CABINET  
Office of Unemployment Insurance  
PAM-UI-400/ES-513  
(Rev. 1/21)**





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**Office of Unemployment Insurance**

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**IMPORTANT: This document contains information about your rights, responsibilities, and/or benefits. It is important that you understand the information provided in this document. Call 502-564-2900 for translation assistance and for the Telecommunications Relay Service (TRS) dial 711.**

**IMPORTANTE: Este documento contiene información importante sobre sus derechos, responsabilidades, obligaciones y/o beneficios de compensación por desempleo. Es muy importante que usted entienda la información contenida en este documento. Llame al número 502-545-2900 para asistencia de traducción y una mejor comprensión de este documento y para Telecomunicaciones Relay Service (TRS) dial 711.**

## Kentucky UI Quick Guide

- A. We require your social security number or alien registration number when filing a claim. Personal information is required whenever you log in, call, or contact our office about your claim.
- B. All information provided on your claim should be entered by YOU and must be true and accurate. **False information or misrepresentation is considered UI fraud.**
- C. File your initial claim for benefits as soon as possible after becoming unemployed or experiencing a significant reduction in hours.
- D. Claimants must be unemployed through no fault of their own. Your employer will be notified that a claim has been filed.
- E. **All claimants must be able, available, and seeking suitable work each week in order to be eligible for benefits.**
- F. You are required to seek full-time work and make at least one job contact per week. (See page 15 for details and exceptions.)
- G. You must report all wages earned during a week in which unemployment is requested. Failure to report earnings is considered UI fraud.
- H. Claims must serve a Waiting Week. Benefits are not paid for the first week that you are eligible.
- I. Important UI documents cannot be forwarded. Please keep your mailing address, phone number, and email address updated through the online claim portal.
- J. You are responsible for requesting your benefits on time. Benefits are claimed every two weeks. Your first benefit request will be 13 days after the date you file the claim. You cannot request sooner than 13 days.
- K. If you receive a Notice of Determination that you are not payable for benefits, you may appeal the decision.
- L. You should continue to request your benefits while your claim is in the fact-finding phase or during the appeal process.

## Unemployment Insurance Process



Kentucky Labor Cabinet  
Office of Unemployment Insurance  
PAM-UI-400/ES-513  
(Rev. 1/21)  
An Equal Opportunity Employer M/F/D  
[KCC.KY.GOV](http://KCC.KY.GOV)

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## Introduction

### Reading the Claimant Guide

This guide is meant to provide you, the claimant, with important information about Unemployment Insurance benefits in Kentucky. When filing your claim, you will be asked to certify that you have received and understand this document. **Please read it carefully.** This guide includes information about how to file a claim, who is eligible for benefits, how to request your benefits, and what to expect. For additional information or assistance, please visit our website at [KCC.KY.GOV](http://KCC.KY.GOV) or call 502-564-2900.

### What is Unemployment Insurance?

Unemployment Insurance (UI) is temporary financial assistance for people who have become unemployed through no fault of their own. Unemployment Insurance, also called unemployment compensation, is a joint program between Kentucky and the U.S. Department of Labor. Each state has its own set of eligibility requirements based on federal law. Your benefit amount is based on how much money you made during a specified period, as reported by your employer. **Workers do not pay into the UI program.** UI benefits come from employer taxes and never deducted from a worker's paycheck. Employers are notified when you file a claim and asked to provide information, however, all eligibility decisions are made by the Office of Unemployment Insurance. Eligible individuals may receive up to 26 weeks of UI benefits during one calendar year. Traditional UI benefits are paid every other week and the maximum benefit amount is \$569 per week.

To be eligible for benefits you must:

- (1) Be unemployed or working less than full-time
- (2) Have earned enough money to establish a valid claim
- (3) Be unemployed through no fault of your own
- (4) Be able to work, available for work, and looking for work

### Who is eligible?

UI benefits are for individuals who are totally unemployed or who are working less than full-time while looking for full-time work. To claim benefits in Kentucky, you must have earned wages in Kentucky during your base period (see Base Period, page [11](#)). If you have not worked in Kentucky in the last 18 months, you will need to apply in one of the states where you worked. You cannot file for benefits in Kentucky if you have a valid claim in another state.

Benefits are paid to workers who are unemployed or underemployed through no fault of their own while they are attempting to return to the workforce. You must be able to work and available for work **each week** in order to receive benefits. You must also be making a reasonable effort to find new full-time work and provide details about your job search (see Work Search, page [16](#)).

## Filing a Claim

### Filing Options

You have the option to file your claim online at [KCC.KY.GOV](http://KCC.KY.GOV) or by phone at 502-875-0442. You should file your claim as soon as possible after becoming unemployed or after a significant reduction in your hours. **Do not wait to file your claim.**

Any information you provide for your claim is subject to verification through the Social Security Administration. All information you provide must be accurate at the time you file. Your Social Security Number will be shared with other agencies, as authorized by law.

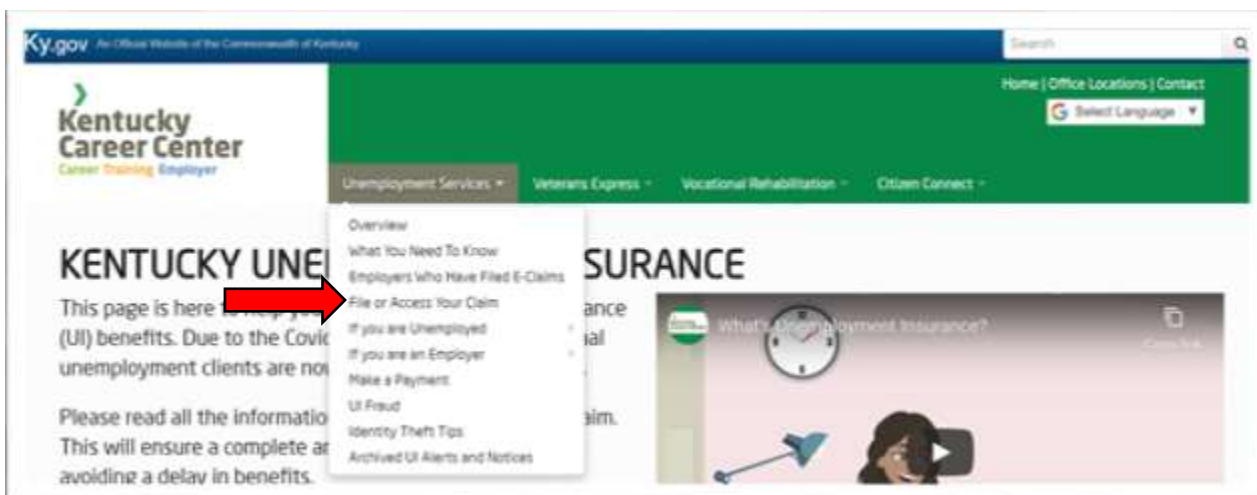
Note: There is never a charge or fee for filing for benefits through our website or by phone. Beware of predatory or fake websites that charge a fee. These websites are not affiliated with the Office of Unemployment Insurance. Official Kentucky websites end in ".ky.gov".

### To File Your Unemployment Insurance Claim You Will Need The Following

- Personal Information:
  - Social Security OR Alien Registration Number
  - Date of Birth
  - Complete Mailing Address
  - Phone Number
  - Email Address
- Employer Information (For the last 18 months- this many include multiple employers):
  - Company Name or Name of Temporary Agency
  - Company Mailing Address
  - Company Phone Number
  - The start and end dates of your employment
  - The reason you are no longer working for that Employer
- Other Information You May Need:
  - Details about your retirement pension (if are receiving a retirement pension).
  - A list of states in which you worked (if you worked outside of Kentucky).
  - Name/Address of Temporary Agency (if you worked for a temporary agency).
  - Agency Name, Component name, Copy of your Standard Form SF8/SF50 (if you worked for the Federal Government).
  - Copy of your DD214 Member 4 (if you were in the Military).
  - Name of Contractor and Union details (if you are a member of a Trade Union).

## Filing A Claim Online

Online claim filing provides the benefit of filing your claim quickly from anywhere with internet access. Claims not submitted by midnight on Saturday will be erased. To file a claim online, visit [KCC.KY.GOV](http://KCC.KY.GOV). Click on "Unemployment Services" and select "File or Access Your Claim" to begin the process. This takes you to the Unemployment Insurance Claims System Page. This page will provide further details about what services are available and when they are available, as well as what browsers are compatible. After reading the Claims System Page, click "I Agree" at the bottom of the page to begin filing the claim.



## New Users

If you do not have an existing profile, click on "New User". You will be required to provide an email address, create a 4-digit PIN, and select security questions. Hint: We suggest that you use a security question and answer that does not change and will not be forgotten. For example, the city where you were born, mother's maiden name, or grandmother's maiden. Keep in mind that the answer to your security question is case sensitive.



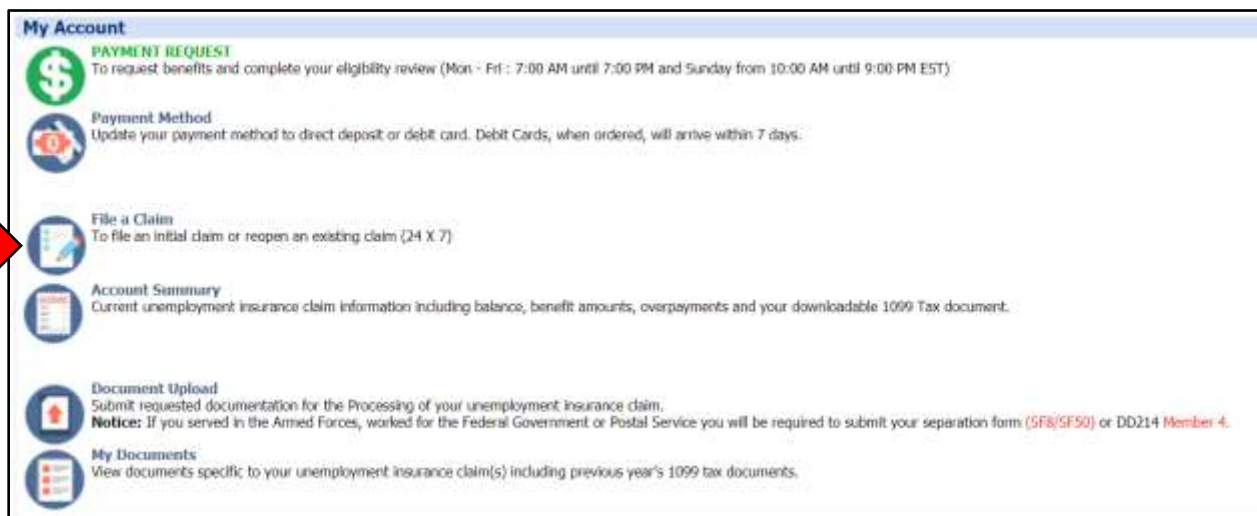


## PIN Numbers

Existing users will enter a User Identification (Social Security Number) and their 4-digit numeric PIN (Forgot PIN, see page [22](#)) to access or file a claim. New users will be asked to create a 4-digit numeric PIN. It is important that you remember this PIN number because you will need it each time you access your claim. Do not use the last four digits of your Social Security number, simple PINs like "1234", "4321", or "1111". These simple PINs make it easy for someone to guess or gain access to your claim information. **Do not share your PIN with others.**

## To File a Claim

Once you have logged into your claim, scroll down to the My Account menu and click the "File a Claim" option to get started. The claim filing process takes approximately 30 minutes to complete and you will receive a confirmation page once it is submitted. Claims not submitted before midnight on Saturday will be deleted.



## System Availability

The Internet claims system is available Monday through Friday from 7:00 a.m. to 7:00 p.m. and Sunday from 10:00 a.m. to 9:00 p.m. Eastern time. The Internet claims system will be down for maintenance periodically. When maintenance is planned, notice will be given.

## Browser Requirements and Time-out

We recommend using the latest version of Google Chrome, Firefox, or Microsoft Edge. Unfortunately, Safari is not compatible at this time. If you are using a computer in a public place, log off or close the browser when you are finished entering information. This helps protect your private information. The system will timeout if you are idle for 30 minutes.

## Filing by Telephone

If you are unable to complete your initial unemployment claim online, please call 502-875-0442 for the Claim Filing Call Center. This phone line is dedicated to initial claim filings only and is available Monday through Friday from 7:30 a.m. to 5:30 p.m. Eastern time. You may also call toll-free 800-648-6057 for Telecommunications Relay Service.

## After Your Claim is Filed

At the completion of the claim filing process, you will see a confirmation screen to verify that the claim was successfully filed and when you should request your first benefit payment. The Office of Unemployment Service will then determine if you have a valid claim and mail a Monetary Determination to your address on file.



## Monetary Determination

After your claim is filed, the UI system will automatically determine whether you have enough earnings in your base period to establish a valid claim. You will receive a document in the mail called a "Monetary Determination" a few days after you file an initial claim. The Monetary Determination will inform you whether your claim is monetarily valid and, if valid, the maximum benefit amount that you may receive per week. **Note: The Monetary Determination is not a guarantee that you will receive benefits but tells you how much you may receive if you are otherwise eligible.**

## Weekly Benefit Amount (WBA)

Weekly Benefit Amount or WBA means the maximum amount of benefits you are eligible to receive each week that you request UI benefits. The WBA is calculated based on the amount of wages that you earned during your base period. The basic benefit calculation is 1.1923% of your base period wages. Effective July 1, 2020 the minimum rate is \$39 and the maximum rate is \$569 per week regardless of how high the wages were.

In some instances, your weekly benefit payment may be less than your WBA. For example, if you work and report wages, if you choose to have taxes withheld from benefits, or if a portion of your benefits go toward child support payments (See Deductible Income, page [19](#)).

## Base Period

### What is a Base Period?

The **Base Period** is a one-year period made up of four (4) calendar quarters. The Base Period is used to determine your Weekly Benefit Amount. In Kentucky, the base period is the first four (4) of the last five (5) completed calendar quarters. The wages you earned during the base period will determine if your claim is valid and your weekly benefit amount. To be considered part of your base period, your wages must have been earned in covered employment. **This does not include contract work, some types of self-employment, National Guard work, or work performed for religious institutions.**

The **Effective Date** of your claim is the first Sunday of the week in which you completed your initial claim application. For example, if you file a claim with an Effective Date anytime between January 1, 2021 and March 31, 2021, your Base Period would begin on October 1, 2019 and end September 30, 2020.

If You File Your Claim Between January 3, 2021 and April 3, 2021					
Your Base Period				Effective Date	
<b>2019</b>	<b>2020</b>	<b>2020</b>	<b>2020</b>	<b>2020</b>	<b>2021</b>
October November December	January February March	April May June	July August September	<del>October November December</del>	January February March
Quarter 1	Quarter 2	Quarter 3	Quarter 4	Not Used	Not Used

\*Quarters change in the first full week of the first month of the quarter.

To have a valid claim, the wages you earned during your base period must meet all of the following requirements:

- 1) You must have wages of at least \$1,500 in at least one quarter;
- 2) Wages during the base period must be at least 1.5 times the wages in your highest quarter;
- 3) Total wages outside of the highest quarter must be at least \$1,500; and
- 4) Wages in the last two quarters must be at least eight times your weekly benefit rate.

### Monetary Reconsideration

If you do not meet the four requirements listed above, you will receive a Monetary Determination stating that your claim is not valid. If you believe that the determination to be incorrect or that you have wages that were not considered, you can request a reconsideration. When requesting a monetary reconsideration, you must provide proof of any wages not previously considered in the form of check stubs, W-2s, or a statement from your employer. Instructions for requesting a reconsideration and providing proof of wages can be found on the Monetary Determination document you receive in the mail. The Office of Unemployment Insurance will review your request and make any required adjustments. **Please continue to request benefit payments while waiting for the reconsideration.**

### **Wages in Other States (Combined Wage Claims)**

Workers are able to file a claim in Kentucky if any of the base period wages were earned in Kentucky. If you have worked another state in addition to Kentucky, you may be eligible for a Combined Wage Claim. That means your wages from other state(s) can be combined with your Kentucky wages to establish a valid claim. Filing a Combined Wage Claim is very simple. When filing an initial claim you will be prompted to select all of the states where you worked during the base period. You will receive a notice of your combined wage claim options in Kentucky AND in the other state(s) where you have worked. Then you will be required to choose the state where you want to pursue your claim.

## **State and Federal Claims**

### **If You Live Outside of Kentucky (Interstate Claims)**

Claimants who live in another state may file for UI benefits if they have wages in Kentucky. If you live outside of Kentucky, you are required to register for employment services with the state workforce agency in the state where you live. Proof of your registration must be submitted to the Kentucky Office of Unemployment Insurance within ten days of filing your claim.

Proof of registration may be submitted by email to [UIinterstate@ky.gov](mailto:UIinterstate@ky.gov), by fax at 502-564-5412, or through the "Document Upload" feature at [KEWES.KY.GOV](http://KEWES.KY.GOV) (for Document Upload instructions, see page [23](#)).

If you are a member of a Trade Union that seeks employment for its members or if you have a definite return to work date within twelve weeks of the day you file the claim, you are not required to submit proof of registration.

### **Military Claims**

Base Period wages earned from your service in the Federal Armed Forces may be used to establish a Kentucky UI claim. When filing your claim, you will be asked if you worked for the military in the last 18 months. You will also be asked to provide the Certificate of Discharge (DD Form 214). The Kentucky Office of Unemployment Insurance will then request information about your wages from your branch of service. In addition to all regular eligibility requirements, to use military wages in your claim, you must have been discharged from military service under honorable conditions after completing your first full term of active service. It is possible to be eligible for benefits if you were separated prior to the completion of your first term of service, but only if the reason for early separation is approved by the U.S. Department of Defense.

Determinations of eligibility based on military service are final and cannot be appealed to the Kentucky Office of Unemployment Insurance. If you believe that the determination is incorrect, you must contact your branch of service to request reconsideration and then notify the Kentucky Office of Unemployment Insurance if the request is approved.

### **Federal Civilian Claims**

Wages earned during the Base Period from work for the federal government in a civilian or non-military position may be used to establish a Kentucky UI claim. When filing your claim, you will be asked if you worked for the federal government in the last 18 months. You must provide a copy of your Standard Form 50 (SF-50) "Notification of Personnel Action" and Standard Form 8 (SF-8) "Unemployment Compensation Form". You should have received the forms from your federal civilian employer. If you do not have these forms, please contact the federal agency where you were employed. The Kentucky Office of Unemployment Insurance will then request information about your wages from the federal government. You will receive a Monetary Determination in the mail once the federal wage and separation information are received.

## Requesting Your Benefits

### Bi-Weekly Benefit Request

After your initial UI claim has been filed, you are responsible for requesting UI benefit payments. **Benefit payments are not automatic.** Failing to request your benefits on time will cause your payment to be delayed or denied. During the bi-weekly benefit request you will be asked to answer questions about your ability to work, your availability, any income that you received, and whether your job status has changed. **You must answer these questions truthfully to the best of your knowledge.**

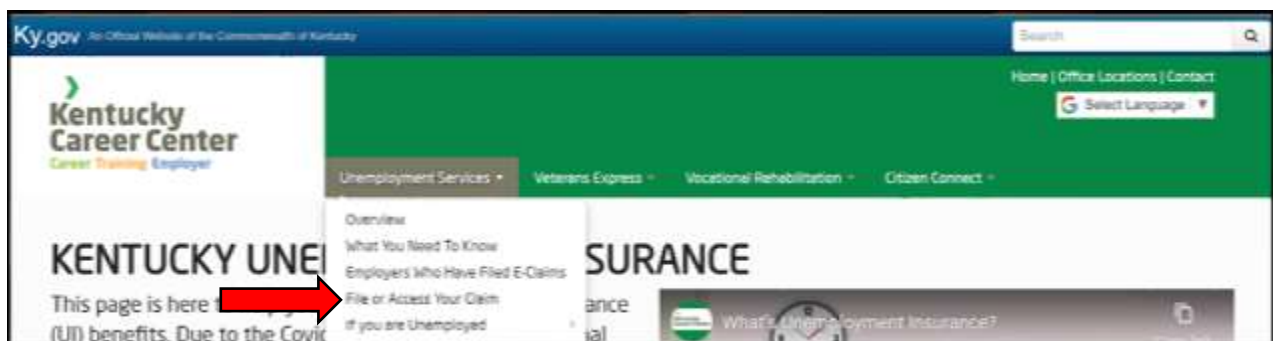
### When to Request Benefits

Traditional UI claims require you to **request benefits every two weeks.** You will request your first benefit payment thirteen (13) days from the day you filed your initial claim. Kentucky UI weeks run from Sunday to Saturday. When requesting benefits, you will be prompted to claim two weeks at a time. First, you will answer questions about Week 1 and then Week 2. If eligible, payment is typically received within 2-3 days after requesting benefits.

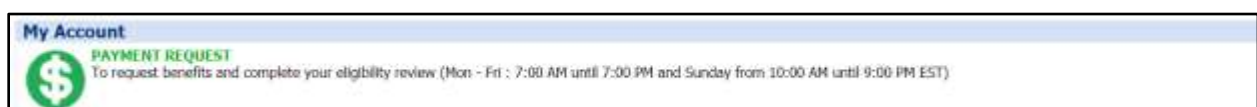
Claimants whose employers have filed on their behalf ("E-Claims") should request benefits weekly rather than bi-weekly (see Employer Filed Claims, page [21](#)).

### How to Request Benefits

Benefits for the previous two-week period can be requested Sunday through Friday. The system is available Sundays from 10:00AM - 9:00PM and weekdays from 7:00AM - 7:00PM. To request your benefits, access your claim at [KCC.KY.GOV](http://KCC.KY.GOV). Click on "Unemployment Services" and select "File or Access Your Claim". Click "I Agree" at the bottom of the Claims System Page. Log in to your claim using your user ID and PIN.



Once you have logged into your claim, scroll down and choose the "PAYMENT REQUEST" option. **Do not file a new claim unless your work status has changed or your claim has expired.**



## Claiming Benefits By Phone

Claimants who are exempt from the Work Search requirements (those who have a definite recall date within 12 weeks of the initial claim filing, are in an Approved Training Program, E-Claims, etc.) may choose to request benefits by phone in addition to requesting benefits online. To request benefits by phone, dial 1-877-3MY-KYUI or 1-877-369-5984. You will be prompted to enter your identification information and 4-digit PIN. You will be asked a series of questions regarding the previous weeks. Answer all questions and wait for confirmation before ending the call. If you hang up before your request is accepted, your benefits will not be processed. You may call Sundays from 10:00AM - 9:00PM and weekdays from 7:00AM - 7:00PM. Do not attempt to call the phone system multiple times to claim your weeks or check the status unless there was a system error and you were directed to call back later. Calling or attempting to request your benefits multiple times will not result in faster payment.

## Payment Options

The Kentucky Office of Unemployment Insurance offers two safe and convenient payment method options. **You can choose to receive payment through Direct Deposit into your bank account or a paper check.** You may change your preferred payment method by accessing your online claim and selecting "Payment Method". If you do not change the payment method to Direct Deposit, the default method of payment will be a paper check (to change Payment Method, see page [22](#)).

To receive payment through Direct Deposit, you will need access to a checking or saving account. You will provide information regarding the Account Holder Name, Bank Name, Routing Number, and Account Number. Kentucky UI staff members are able to confirm whether you have enrolled in Direct Deposit, however, for additional security, staff do not have access to view or edit your Routing or Account Number.

## If You Miss a Request (Backdating)

**The Kentucky Office of Unemployment Insurance cannot guarantee the payment of benefits that were not requested in a timely manner.** If you fail to request benefits on time, you may request the backdating of payment by contacting the UI office through phone at 502-564-2900 or email at [UIassistance@ky.gov](mailto:UIassistance@ky.gov). You will then receive an electronic form that must be completed and returned. Benefits for the missing week(s) will only be paid if you are eligible for the weeks requested and only if you can provide good cause for not requesting benefits on time. Payment of these weeks is not guaranteed, so it is very important to request benefits on time.

## Weekly Eligibility Requirements

### Waiting Week

In Kentucky, all initial claims must serve a "Waiting Week". That means that benefits are not paid for the first week that you are eligible. You must claim benefits in order for the week to count as your Waiting Week. Only one waiting period must be served per claim.

### Ability and Availability Requirements

Unemployment Insurance eligibility is determined on a week-to-week basis. In accordance with Kentucky Unemployment requirements, you must be both physically and mentally able to work each week for which you are requesting benefits. **You must also be available for work and actively seeking full-time work.** This means that you must look for work within your abilities and accept suitable employment if it is offered to you.

Some common reasons you might not be Eligible for benefits:

- You have a medical condition that prevents you from accepting work;
- You are seeking Social Security Disability and have certified that you cannot work;
- You do not have adequate transportation;
- You do not have adequate child care or dependent care while you work;
- You are not legally able to work in the United States;
- You have limited your hours of availability or the locations where you will accept work;
- You are enrolled in a school/training program that prevents you from working full-time;
- You are an employee of a school system and are in-between school terms;
- You are not making a reasonable effort to find work; or
- You refuse an offer of suitable work without having good cause.

### Work Search

You are required to seek suitable full-time employment and report at least one job contact per week. It is recommended that you keep a record of all of your job contacts, including the name of the business, the title of the position, the name/title of the person you contacted, the date of the contact, and the method of contact (phone, email, address, etc.) You will be required to provide these details during your bi-weekly benefit request.

You are allowed a reasonable period of time to find work that is comparable in pay and skill level to your most recent employment. If you are not able to find comparable work after a reasonable period of time, or if that type of work is not available in your area, you must adjust your work search. Your adjusted work search may require you to look for job that might pay less or located further away from your home than your previous commute.

You are not be required to conduct a job search if:

- You are a member of a trade union who finds work for you
- You are a student in an approved training program
- You have a definite recall date within 12 weeks of your initial claim filing date
- On a temporary leave of absence while still considered an employee
- Your employer filed a mass electronic claim (E-Claim) on your behalf



## **Job Separation Requirements**

In order to receive Unemployment Insurance benefits, **a worker must be unemployed through no fault of their own**. If you quit or were discharged from work, the Kentucky Office of Unemployment Insurance must determine if you are qualified to receive benefits. If your most recent period of employment lasted less than ten weeks, you must also be found qualified on your next most recent separation in order to receive benefits.

### **Employment Information**

At the time you file your claim, you will be asked to provide details regarding your employment history and separation reason. Be prepared to provide information about your job and the reason for the job separation for all employment periods for the last 18 months. You may not choose which employers are included on or charged for the UI claim. All periods of employment, no matter how brief, must be reported.

For the purposes of Kentucky Unemployment Insurance, “discharged” means fired, terminated, asked to resign, dismissed, let go, etc. “Discharge” is not the same as a lay-off due to a lack of work.

### **Temporary Agencies**

If you performed work through a Temporary Agency, you should provide information about that agency or the company who is listed on your paycheck. The client location is not considered to be your employer. Additionally, each job assignment is considered new and separate periods of employment. Failing to report these separate periods of employment or failure to provide the correct employer name/address may delay your benefits.

### **Employer Notification**

Your employer(s) will be notified of your claim for UI benefits and the reason you have provided for the job separation. The employer will then be given the opportunity to respond to the Office of Unemployment Insurance regarding details of the job separation. It may be necessary for UI staff to conduct a fact-finding if more information is needed to determine whether the claimant is qualified.

Common reasons that you may not be Qualified based on job separation:

- You were discharged for misconduct or dishonesty;
- You were suspended for misconduct or dishonesty;
- You abandoned your job;
- You quit the job for personal reasons;
- You quit your job without good cause or did not pursue alternatives before quitting;
- You failed to maintain contact with the employer during a period of leave;
- You did not provide correct information and did not amend when requested; or
- A strike is in active progress at the location where you work.

## **Notice of Determination**

All separation investigations will result in a written Notice of Determination. The Notice of Determination document will be mailed to both the claimant and the employer. Each document will include information about whether the claimant is qualified to receive benefits and the reason for the determination.

**Claimants should continue to request bi-weekly benefit payments while their claim is under review or Fact Finding.** If qualified, UI benefits will only be paid for weeks that have been requested. If not qualified, you will be notified through a written determination and given the opportunity to file an appeal. Appeal rights for both the claimant and the employer can be found on the last page of all Notice of Determination documents (see Appeal Rights, page [20](#)).

## **Additional Job Separations**

During each bi-weekly benefit request, you will be asked whether you have quit or been fired from a job. If you experience a new job separation after you have filed the initial claim, you will be prompted by the UI system to open an additional claim and provide the details of the job separation. The separation will be reviewed by UI staff and a Notice of Determination will be issued.

## Deductible Income

### Earnings/Income

It is possible for claimants to work less than full-time while receiving UI benefits. Claimants requesting UI benefit payments must report all earnings, wages, and income to the Office of Unemployment Insurance. **Failure to report wages is considered fraud.** You must report all gross wages earned during a week of unemployment at the time that you request benefit payment. You should report gross wages, or the total earnings before deductions, rather than net wages. **Wages should be reported in the week they were EARNED not the week they were RECEIVED.** Income received from all work, including self-employment or odd jobs, must be reported. Child support payments may also be deducted from UI benefits.

The amount of your weekly benefit payment may be less than expected. That could be due to the wages you earned during a week of unemployment. Eighty percent (80%) of your gross wages that you earn during a week of unemployment will be deducted from your Weekly Benefit Amount (WBA). For example, if your WBA is \$400 and you earn \$100, you must report earnings of \$100. Eighty percent of the \$100 earnings equals \$80. Therefore, \$80 will be subtracted from the \$400 WBA and a check will be issued for \$320.

### Tax Withholdings

Another reason that your benefit payment might be less than your WBA is due to elected tax deductions. UI benefits are taxable income and must be reported on your income tax return. You may choose to have federal and/or state withholdings deducted from your WBA. You can make this selection when you complete your initial claim filing. Remember that tax withholding is optional and may be changed once per benefit year. If you choose to have taxes withheld, 10% of your benefits will be deducted for federal taxes and/or 4% will be deducted for state taxes. For information regarding KY Unemployment Insurance Tax Form 1099-G, see page [24](#).

### Separation Pay and Vacation Pay

Payment that you receive at the time of a job separation (other than last paycheck, vacation balance, or sick leave) must be reported. The Office of Unemployment Insurance will determine if the pay is considered deductible. If the separation pay is determined to be deductible, you will receive a Notice of Determination stating the number of weeks the pay is deductible from UI benefits. Wages paid in lieu of notice of job separation will be deductible at 100% for up to four weeks. **Severance pay is not deductible from benefits. Vacation pay that is received after a job separation is not deductible.**

### Pension and Retirement

At the time of your initial claim filing, you will be asked whether you are receiving a retirement pension. If yes, you will be required to provide the details of the retirement pension. The pension will be deductible from your WBA only if the employer was the sole contributor and if you worked for that employer during your Base Period. If deductible, you will receive a determination with the amount of pension that will automatically be deducted from your WBA. If you start receiving a retirement pension at any point during the claim, it must be reported either through your bi-weekly benefit request or by contacting the office.

## Fraud and Misrepresentation

All information and answers that you provide while claiming or requesting Unemployment Insurance benefits must be personally entered by you and must be truthful. Knowingly providing false information or failing to provide information in order to obtain benefits is considered fraud. Falsification of information is punishable by fines and/or imprisonment under KRS 341.990.

False statements, misrepresentation, and/or unreported earnings can result in disqualification for up to fifty-two weeks in addition to felony charges, fines, and possible imprisonment. All benefits fraudulently received must be repaid to the Office of Unemployment Insurance. Interest will accrue on overpayments connected to fraud and there may be a lien file against your Social Security number. Additional lien filing processing fees may also be assessed.

## Overpayments

An overpayment may be established on a claim when it is determined that a claimant received benefits during a period that they were not eligible. If you are found overpaid, then benefits must be repaid to the Office of Unemployment Insurance. Income tax refunds may be intercepted in order to satisfy your repayment obligation. However, overpayments resulting from office error will be recovered only by deducting 25% of the weekly benefit rate from any future benefits.

Checks or money orders can be made payable to the Kentucky UI Trust Fund. You can also make a secure payment online at [KCC.KY.GOV](https://KCC.KY.GOV), clicking on "Unemployment Services" and selecting "Make a Payment." For payment arrangements, contact the Benefits Payment Control Office at 502-564-2387 or [UIoverpayments@ky.gov](mailto:UIoverpayments@ky.gov).

## Appeal Rights

Any time a claimant is disqualified or found ineligible for benefits, a Notice of Determination will be issued by mail. Appeal rights can be found on the last page of each Notice of Determination document. **Any party who disagrees with a determination, including the employer, may file an appeal in writing within 15 days of the mail date of the Notice of Determination.** The appeal must include the claimant's name, last four digits of the Social Security number, and contact information. Private postage meters are not used to determine the postmark date. If the due date of the appeal falls on a day that the office or post office is closed, the next business day will be considered the due day. UI Appeal Referee Decisions are appealable to the UI Commission. Appeal rights are included on the Referee Decision.

Appeals can be sent by email to [UIappeals@ky.gov](mailto:UIappeals@ky.gov), by Fax to 502-564-7850, or by mail to UI Appeals Branch, 300 Mayo Street, 4<sup>th</sup> Floor, Frankfort, KY 40601.

**You should continue to claim benefits while your claim is under appeal.** If the Referee Decision is in your favor, benefits may be paid only for the weeks properly claimed.

## Additional Information

### Employers Who Have Filed Mass Claims (E-Claims)

If you have been temporarily laid-off from your job and your employer has submitted a mass Unemployment Insurance claim (E-Claim) on your behalf, you will receive a letter in the mail with the details of your benefits and how to request payment. You will need to request your **weekly** benefit payment between Sunday and Wednesday for each week that you are laid-off. Claimants who are part of mass E-claims are not required to perform a work search or seek new employment.

If you have not been employed with the E-claim employer for at least ten weeks, you will be required to add your Next Most Recent Employment information to your claim. You will receive a form in the mail with information on how to amend your claim to add the required employer information.

### Quality and Wage Audits

Occasionally, claims are randomly sampled for quality control and benefit audits. You may receive a notification from the Office of Unemployment Insurance indicating that your claim was selected for an audit in which your claim is reviewed for accuracy. Please respond immediately to request for information to avoid the possibility of overpayment or delay of future benefits. Employer "New Hire" records may also be cross-referenced with UI records to ensure that claimants have not received UI benefits after returning to full time work.

### Keep Your Information Updated

Keep updated phone and address in case we need to contact you. The United States Postal Service will not forward mail from state offices, even if you have provided a forwarding address. You can keep your address, phone, and email address updated by logging into your claim at [KCC.KY.GOV](http://KCC.KY.GOV). It is recommended that you set up voicemail on your phone so that our office may leave a message if unable to reach you.

### Cancelling or Ending a Claim

There is no provision in Kentucky for cancelling an Unemployment Insurance claim after it is filed. **If you no longer wish to pursue the claim all you need to do is skip your bi-weekly benefit request. In other words, you would not continue requesting benefits.**

If you find new employment or return to previous full-time employment, you can report that you have returned to work at the time you claim your bi-weekly benefits. The system will ask if you have returned to full-time work during the week in questions and you will confirm that you have returned to work. You may request benefits for weeks in which you are unemployed, however, once you begin full-time employment you are no longer eligible for benefits. **You may not continue to request benefits while working full-time but waiting for your first paycheck.**

## **Common Issues & Additional Resources**

### **Updating Personal Information**

You may update your personal information, such as address, phone, and email, by logging into your online claim. Visit [KCC.KY.GOV](http://KCC.KY.GOV) and click on Unemployment Services, then select "File or Access Your Claim". At the bottom of the Unemployment Insurance Claims System page click "I Agree". You will be prompted to log in to your claim using your identification number and the 4-digit PIN you selected at the time you filed. Once you are logged in, you will select "Profile Update" in the top right corner of the screen. Review your current personal information and click the "Update Profile" button if changes are needed and follow the instructions on the screen. You can also change your PIN by clicking "Change PIN" in the top right corner.

### **Account Summary**

Your Account Summary is available by logging in to your claim online. The Account Summary page allows you to view your Claim Status, Weekly Benefit Amount, Payment Method, and your Payment Record, among other important claim information. To view your Account Summary, visit [KCC.KY.GOV](http://KCC.KY.GOV) and click on Unemployment Services, then select "File or Access Your Claim". At the bottom of the Unemployment Insurance Claims System page click "I Agree". You will be prompted to log in to your claim using your identification number and the 4-digit PIN you selected at the time you filed. Once you are logged in, you will select "Account Summary" in the top right corner of the screen.

### **Payment Method**

The Kentucky Office of Unemployment Insurance provides two methods for receiving payment. You can choose to receive payment through Direct Deposit or paper check. If you do not enroll in Direct Deposit, your paper check will be mailed to your address on file. For more information regarding Payment Options, see page [15](#). You may change your method of payment by logging into your claim and selecting "Payment Method" on the home screen. If you change your Method of Payment after a payment has been issued, the change will become effective the next time you request benefit payment.

### **Forgot PIN**

When selecting a 4-digit PIN it is important that you use a number that you can remember or that you save the number in a secure location for future use. If you have forgotten your PIN and cannot access your claim, visit [KCC.KY.GOV](http://KCC.KY.GOV) and click on Unemployment Services, then select "File or Access Your Claim". At the bottom of the Unemployment Insurance Claims System page click "I Agree". On the User Login screen, click "Forgot your PIN?". You will be prompted to enter your first and last name, along with your social security number. You must enter your name exactly as it was filed on the claim. You will then answer your Security Question that you established at the time you created a user profile. You will then have access to your online claim and should immediately go to "Change PIN" to update your PIN number.

Note: E-claims do not have access to change their PIN electronically. Please notify UI staff or your Human Resources staff for assistance in updating your PIN.

## **Lost or Stolen Checks**

You may find out when your check was mailed by viewing your online Account Summary or by calling 1-877-369-5984. If the UI system indicates that your check was MAILED, but you have not received it, you may report the lost or stolen check after 14 days. **Please keep your mailing address up-to-date. The U.S. Postal Service will not forward your UI benefit check.**

## **Backdating of Claim or Payment**

**The Kentucky Unemployment Insurance Office cannot guarantee the payment of benefits that were not requested in a timely manner or for weeks prior to the week you filed the initial claim.** If you fail to file a claim or request benefits on time, you may request the backdating by contacting the UI office through phone at 502-564-2900 or email at [UIassistance@ky.gov](mailto:UIassistance@ky.gov). You will then receive an electronic form that must be completed and returned. Benefits for the missing week(s) will only be paid if you are eligible for the weeks requested and only if you can provide good cause for not requesting benefits on time. See page [15](#) for information on how to request bi-weekly benefits.

## **Amend Claim**

If you fail to provide complete and/or accurate information, you may be directed by the Office of Unemployment Insurance to amend your claim. To amend the claim means to provide updated and correct information so that your claim can be processed. Claims that must be amended will receive notice by mail, email, or phone. Please complete the required forms within ten days of the mail date of the form. Failure provide correct information in a timely manner may result in denial or delay of benefits.

## **Document Upload Instructions**

Claimants may be required to submit documentation to support their claim or to verify identify. For example, if you served in the Armed Forces or worked for the Federal Government or Postal Service you will need to submit your separation form SF8/SF50 or DD214 Member 4. To upload a document, log into your online claim by visiting [KCC.KY.GOV](http://KCC.KY.GOV) and click on Unemployment Services, then select "File or Access Your Claim". At the bottom of the Unemployment Insurance Claims System page click "I Agree". You will be prompted to log in using your identification number and the 4-digit PIN you selected at the time you filed. Once you are logged in, you will select "Document Upload" on the claim home screen. You may upload relevant documents in .jpg, .pdf, .tif, .eps, or .pict format. The file must not exceed 5MB in size. Click the "Add Document", select the Document Type, Attachment Name, and any Comments you wish to add and submit. You document will automatically become available for UI staff to review.

## **Extended Benefits**

Regular UI claims contain 26 weeks of benefits to be paid within one calendar year. Extended benefits or additional benefits are separate from regular UI benefits occasionally enacted by federal or state government during periods of economic downturns. Extended benefits are in no way guaranteed or implied. You will be notified through our website and/or mail if extended benefits become available during the time you are unemployed or have a UI claim on file.

## **KY Unemployment Insurance Tax Form 1099-G**

Unemployment Insurance benefits are considered taxable income and must be reported on your income tax return. The Office of Unemployment Insurance will report the total amount of your benefits to the Internal Revenue Service and will provide you with an annual statement (Form 1099-G). Your annual statement will be mailed no later than January 31<sup>st</sup> of each year. This tax document will also be available on your online profile for easier access. Please be sure to keep your address up to date so we can mail you this important document.

## **Job Assistance/Career Center Services**

To learn how to register for employment services or to contact a One Stop Center/Career Center, please visit [www.careeronestop.org](http://www.careeronestop.org).

### **Trade Assistance Resources**

Trade Adjustment Assistance (TAA) provides reemployment, training, or education assistance to workers who have been totally or partially separated from their jobs because of increased foreign imports or exports. Trade Readjustment Allowance (TRA) provides income assistance to workers who have been totally or partially separated from their jobs because of increased foreign imports or exports. If you believe you might be eligible to receive benefits under these program, please call 502-782-3439.

## **Additional Help**

For additional information, please visit our website at [KCC.KY.GOV](http://KCC.KY.GOV). This website provides a variety of resources, including helpful information for unemployed individuals, for employers, veterans, vocational rehabilitation, and more. Additional help is also available while filing in the claim through additional help screens and a Chat feature. For additional help with your Kentucky Unemployment Insurance claim, please call 502-564-2900 or email [UIassistance@ky.gov](mailto:UIassistance@ky.gov).

## **Reporting Fraud/Identity Issues**

If you know of anyone collecting UI benefits while working, while unable to work, or when he/she is not eligible to receive these benefits, you may email [UIfraud@ky.gov](mailto:UIfraud@ky.gov) or call 502-564-2387 to report the incident. You may also report fraud anonymously online by visiting [KCC.KY.GOV](http://KCC.KY.GOV), clicking on "Unemployment Services" and selecting "UI Fraud". You will find a link on the page to the [Report UI Fraud form](#).

If you believe your identity has been used to file a fraudulent claim please email [UIfraud@ky.gov](mailto:UIfraud@ky.gov) or call 502-564-2387.

The Kentucky Attorney General's [website](#) provides helpful information and resources on identity theft.



## **Equal Opportunity Statement**

The Kentucky Office of Unemployment Insurance is an Equal Opportunity Employer

As a recipient of federally funded assistance programs, this recipient will comply with all equal opportunity and nondiscrimination laws and all amendments under the Civil Rights Act of 1964, Title VI; the Rehabilitation Act of 1973, Section 504; the Age Discrimination Act of 1975; and the Americans with Disabilities Act of 1990. No individual in the United States may, on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and (for beneficiaries only) citizenship or participation in any Workforce Investment Act (WIOA) Title I financially assisted program or activity, be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in the administration of or in conjunction with any WIOA Title I-funded program or activity.

### **If You Believe You Have Experienced Discrimination**

If you think you have been discriminated against under Title VI of the Civil Rights Act of 1964, Title VI, the Rehabilitation Act of 1973, Section 504, the Age Discrimination Act of 1975, or the Americans with Disabilities Act of 1990, you have the right to file a complaint with the Kentucky Labor Cabinet.

If you think you have been subject to discrimination under a WIOA Title I financially assisted program or activity, you may also file a complaint with the Civil Rights Center (CRC), US Department of Labor, Room N-4123, 200 Constitution Ave., N.W., Washington, DC 20210. You may file a complaint within 180 days from the date of the alleged violation.

If you file your complaint with the recipient, you must wait either until the recipient issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center.

If the recipient does not give you a written Notice of Final Action within 90 days of the day that you filed your complaint, you do not have to wait for the recipient to issue that notice before filing a complaint with CRC. However, you must file your CRC complaint within 30 days of the 90-day deadline (in other words, within 120 days after the day that you filed your complaint with the recipient).

If the recipient that gives you a written Notice of Final Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with CRC. You must file your complaint with CRC within 30 days of the date that you received the Notice of Final Action.

Records regarding complaints and actions shall be maintained for a period of not less than three years from the date of resolution of the complaint. The Civil Rights Center encourages informal resolution of complaints whenever possible. Attempts at informal resolution must be considered as concurrent with, and an addendum to, filing a formal complaint with CRC.

Discrimination on the basis of pregnancy of unemployment insurance claimants is prohibited by the Federal Unemployment Tax Act and the same prohibition applies to staff and applicants for employment services under the 1978 Pregnancy Disability Amendment to Title VII of the Civil Rights Act of 1964.

The Immigration and Reform and Control Act of 1986 prohibits employment services staff from discrimination in the verification of employment status on the basis of national origin and citizenship.

Complaints alleging discrimination in the verification process on the basis of national origin or citizenship shall be filed with the Office of Special Counsel (OSC) for Immigration-Related Unfair Employment Practices, U.S. Department of Justice, P.O. Box 64490, Washington, DC 20035-5490.

The Immigration Reform and Control Act requires that unemployment insurance offices verify that claimants are United States citizens or in a satisfactory immigration status before paying them benefits.

Unemployment insurance staff cannot discriminate in the verification process on the basis of race, color, national origin, age or disability. Complaints alleging discrimination in the unemployment insurance verification process shall be filed with CRC.

## **Glossary of Unemployment Insurance Terms**

**APPEAL RIGHTS** – A legal right to request a higher authority to review a determination or decision; the request must be in writing and submitted in a timely manner.

**APPROVED TRAINING** – Claimants enrolled in a vocational school or training program may request approved training status that exempts the individual from work search requirements for a specified period.

**AMEND** – To make a correction to an existing UI claim.

**AVAILABLE FOR WORK** - In order to be eligible for Unemployment Insurance benefits a claimant must be available for suitable work. Available for work means that the claimant is ready and willing to accept suitable work. If the claimant's circumstances unduly reduce employment opportunities, the claimant may not be available for suitable work.

**BASE PERIOD** – The first four of the most recently completed five calendar quarters, not including the quarter in which a claim is filed; wages earned during the four quarters of the base period are used to calculate maximum and weekly benefit amounts.

**BENEFIT YEAR** – The 52 week period for which a claim is valid.

**BYE** – Benefit Year End - The date an unemployment claim expires.

**CALENDAR QUARTER** – Three consecutive months in a calendar year. The quarters are January to March; April to June; July to September; and October to December.

**CWC** – Combined Wage Claim - A type of unemployment claim that combines wages earned in the base period in Kentucky with wages earned in the same period in other states.

**DEDUCTIBLE INCOME** – Eighty percent (80%) of the amount of wages earned by a worker during week of unemployment. Deductions from pensions, retirement pay, annuity or other similar periodic payment will depend on specific criteria and are deductible at 100%. This amount is deducted from an individual's weekly benefit amount.

**DENIED or DISQUALIFIED** – The claimant is not entitled to UI benefits and will not be paid unless the denial or disqualification is reversed. See APPEAL RIGHTS.

**DOCUMENT UPLOAD** – An electronic means to return information to the Office of Unemployment Insurance. It is available when you login to your online account. You may upload relevant documents in .jpg, .pdf, .tif, .eps, or .pict format. The file must not exceed 5MB in size.

**E-CLAIM** – A mass electronic claim filed by the employer on behalf of a group of laid-off workers. Claimants connected to E-claims should request benefits on a weekly basis during the lay-off period.

**EFFECTIVE DATE** – The Sunday of the week in which the initial claim application is completed.

**ELIGIBLE** – The claimant meets all UI eligibility criteria and is payable for benefits for the week(s) requested.

**FACT-FINDING** – The Office of Unemployment Insurance is mandated by both the Commonwealth of Kentucky and the U.S. Department of Labor to discover the relevant material, critical to resolving issues of UI eligibility and employer chargeability. UI staff review existing claim information and contact interested parties for more information, if needed, for the purpose issuing a determination regarding eligibility or chargeability.

**FILE DATE**- The date that UI claim is filed.

**FRAUD or MISREPRESENTATION** – Knowingly making a false statement or failing to provide complete and truthful information to the Office of Unemployment Insurance for the purpose of obtaining benefits to which one is not entitled. Obtaining UI benefits by fraud can result in civil and criminal penalties.

**GROSS WAGES** – The total amount of wages earned before taxes and deductions; compare to net wages. Forty (40) hours of work at \$10.00 per hour is \$400 gross wages; net wages are the “take home pay” or the amount of the paycheck.

**INELIGIBLE** – The claimant is not entitled to UI benefits and will not be paid unless the period of ineligibility has been terminated or reversed and the claimant is ruled eligible to receive benefits. See APPEAL RIGHTS.

**INITIAL CLAIM** – A new unemployment insurance claim that establishes a new one year period of UI benefits.

**INTERSTATE CLAIM** – An unemployment claim paid by Kentucky to someone who resides in another state.

**IVR** - Interactive Voice Response, a telephone system that responds to voice commands instead of inputs from the keypad.

**PIN** – A 4-digit personal identification number selected by the claimant upon creation of a UI account. The PIN is used to log in to the claim or to request benefits.

**MAXIMUM BENEFIT AMOUNT (MBA)** – The total amount of benefits available on a claim through the benefit year end.

**MONETARY ELIGIBILITY** – An individual’s base period wages meet minimum requirements to establish a claim.

**MOST RECENT EMPLOYER** – The employer for whom an individual most recently worked.

**NEXT MOST RECENT EMPLOYER** – The employer for whom an individual worked before working for the most recent employer.

**MONETARY DETERMINATION** – A determination as to whether the claim is monetarily valid based on the claimant’s base period wages and the calculation of the maximum weekly benefit amount that you may receive per week.

**MONETARY RECONSIDERATION** – An investigation into base period wages and a determination on whether any additional wages discovered are to be used to establish the right to or the amount of a claim.

**NOTICE OF DETERMINATION** – A written document issued by the Office of Unemployment Insurance notifying interested parties of the result of an investigation into the claimant's right to benefits and legal reasoning for the determination.

**RETIREMENT PENSION**- A pension or retirement plan is a fund that is paid into during the worker's employment and then distributed to the worker upon retirement.

**SEVERANCE** – Money an employer pays an employee at the end of employment based on years of service, contractual agreement, or a specific employer-defined formula.

**TAX WITHHOLD or ELECTED DEDUCTION** – Federal and state income taxes may be withheld from an individual's weekly benefit amount if requested by the claimant. Withholdings can be changed once per Benefit Year.

**TAA** – Trade Adjustment Assistance, a federal program that helps trade-impacted workers obtain their next career and the skills necessary to gain suitable employment.

**TRA** – Trade Readjustment Allowance, a federal program that provides income support payments to individuals who have exhausted Unemployment Insurance benefits and whose jobs were affected by international trade; see TAA.

**UI** – Unemployment Insurance - Temporary financial assistance for people who have become unemployed through no fault of their own. Unemployment Insurance, also called unemployment compensation, is a joint program between Kentucky and the U.S. Department of Labor.

**UNEMPLOYED or UNDEREMPLOYED** – Not working or connected to employment; or working less than full-time.

**VALID CLAIM** – See MONETARY ELIGIBILITY. A claim that is monetarily eligible to establish a claim for UI benefits.

**VRU** – Voice Response Unit, another name for Interactive Voice Response (IVR).

**WAGES IN LIEU OF NOTICE** – Money an employer pays an employee at the end of employment when the employee loses his or her job without notice. It is intended to compensate the worker for lack of notice that the job is ending. Wages paid in lieu of notice are 100% deductible from weekly benefits.

**WAITING WEEK** – The first compensable week of an unemployment insurance claim; the first week of the claim during which the individual would otherwise be eligible and qualified to receive benefits. By statute, Unemployment Insurance benefits are not paid for the waiting week.

**WBA** – Weekly Benefit Amount - The maximum amount of benefits an individual will receive for a week of total unemployment during a benefit year.

## Job Contact Log for Work Search

Use this log to help keep track of weekly job contacts as you look for work. You will be required to report at least one job contact per week when requesting your UI Benefits. The use of this form is optional.

[illegible]

